

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LESLIE PAUL HOWARTH,	:	
Plaintiff	:	
v.	:	Civil Action No. 05-43J
OFFICE OF JOHN WOZNIAK,	:	
Defendant	:	

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on September 9, 2005, docket no. 11, recommending that the complaint be dismissed for lack of standing.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation; plaintiff was notified that he had the same amount of time to file an amended complaint. Plaintiff has not filed an amended complaint, no party has filed objections, and the time to do either has expired.

After review of the record of this matter together with the Report and Recommendation, and noting the lack of timely objections thereto, the following order is entered:

AND NOW, this 26th day of September, 2005, it is

ORDERED that the complaint is dismissed. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Gary L. Lancaster", written over a horizontal line.

GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

cc:

Leslie Paul Howarth, Ph.D.
211 Bentwood Avenue
Johnstown, PA 15904-1333

Frederick D. Giles, Esquire
112 Graystone Drive
Hummelstown, PA 17036

Alan M. Pittler, Esquire
40th Floor, One Oxford Centre
Pittsburgh, PA 15219-6498